

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

DONNA GARBACCIO, individually and on behalf of all others similarly situated,	)	
	)	
Plaintiff,	)	Civil Action
	)	
v.	)	No. 2:16-cv-02740(JMV)(JBC)
	)	
ST. JOSEPH’S HOSPITAL AND	)	Honorable John Michael Vazquez
MEDICAL CENTER AND	)	United States District Judge
SUBSIDIARIES, <i>et al.</i> ,	)	
	)	Honorable James B. Clark
	)	United States Magistrate Judge
Defendants.	)	
	)	CLASS ACTION

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**DECLARATION OF MARK P. KINDALL IN SUPPORT OF PLAINTIFFS’  
MOTION FOR AWARD OF ATTORNEYS’ FEES AND  
REIMBURSEMENT OF EXPENSES**

I, Mark P. Kindall, declare as follows:

1. I am a Partner at Izard, Kindall & Raabe, LLP (“IKR”). My firm is counsel for Mary Lynne Barker, Anne Marie Dalio, and Dorothy Flar, who are Named Plaintiffs with Donna Garbaccio.

2. I have personal knowledge of the matters set forth herein and if called to do so, I could and would testify competently thereto. I submit this Fee Declaration in support of Plaintiffs’ request for an award of attorneys’ fees and reimbursement of expenses.

3. The information in this declaration regarding my firm's time and expenses is taken from contemporaneous time and expense printouts prepared and maintained by my firm in the ordinary course of business. I reviewed these printouts to confirm both the accuracy of the entries on the printouts as well as the necessity for and reasonableness of the time and expenses committed to the litigation. Based on these reviews, I believe that the time reflected in my firm's lodestar calculation and the expenses for which payment is sought are reasonable in amount and were necessary for the effective and efficient prosecution and resolution of the litigation. In addition, I believe that the expenses are all of a type that would normally be charged to a fee-paying client in the private legal marketplace

4. The total number of hours spent on this litigation by my firm through December 31, 2017, is 54. The total lodestar amount for attorney time based on the firm's current rates is \$41,231.25. The hourly rates shown below are the usual and customary rates set by the firm for each individual. A breakdown of the lodestar is as follows:

<b>Attorney</b>	<b>Hours</b>	<b>Rate</b>	<b>Lodestar</b>
Christopher Barrett	7.5	\$550.00	\$4,125.00
Douglas Needham	11.5	\$550.00	\$6,325.00
Mark Kindall	21.25	\$850.00	\$18,062.50
Robert Izard	13.75	\$925.00	\$12,718.75
<b>TOTAL</b>	54		<b>\$41,231.25</b>

5. My firm seeks an award of \$1,335.30 in expenses in connection with the prosecution of the litigation through December 31, 2017. They are broken down as follows:

Court Costs	1,272.00
PACER Research	63.60
<b>TOTAL EXPENSES:</b>	<b>\$1,335.30</b>

6. The expenses pertaining to this case are reflected in the books and records of this firm. These books and records are prepared from receipts, expense vouchers, check records and other documents and are an accurate record of the expenses.

I declare under penalty of perjury that the foregoing is true and correct.  
Executed this 4<sup>th</sup> day of January, 2018, in West Hartford, Connecticut.

/s/ Mark P. Kindall